

TEN JURORS SWORN TO TRY MRS. FLEMING.

Two Men Secured as the Result of Yesterday's Examination.

Recorder Goff Indignant at the Efforts of Talesmen to Avoid Service.

THREATENS TO PUNISH SEVERELY.

Says They Are Guilty of Perjury and That Some of Them Should Go to Jail for Telling Falsehoods.

Mary Alice Fleming faced ten of the jurors who are to try her for the alleged poisoning of her mother before she left court last night. The tenth man was selected after sixty-one men had been examined during the day. He is Lovell M. Aldrich, a superintendent of the Crystal Lake Company, of No. 315 East Sixty-third street.

During the day Recorder Goff varied the proceedings by threatening to punish some of the talesmen for contempt. The first man to feel the Recorder's criticism was John Diehl, of No. 600 Brook avenue. He was summoned on the first panel, ten days ago. When he appeared he was excused for a week to fix up pressing business matters. Yesterday he astonished the Court by stating that he was opposed to the death penalty. First he said his opinions on the subject were only two weeks old. Then he corrected himself by stating that he had urged similar objections before Recorder Smyth three years ago.

"Where was that?" asked Mr. McIntyre. "In this very building," replied Diehl. "Are you aware that we only came into this building a year ago last September?" inquired the Assistant District Attorney.

Mr. Diehl then said that he might be wrong as to the date, but the fact was all right. "I should like to have it understood," said the Recorder, "that men with such sensitive consciences should also have regard for the truth. It seems to me that much of the conscientiousness of talesmen is of mushroom growth and comes of a desire to shirk their duties as citizens. It looks like premeditated perjury, and I may yet be compelled to make an example or two."

Mrs. Fleming whispered to her counsel and seemed satisfied with the remarks from the Bench. John B. Hutton, an ice dealer, was chosen as Juror No. 9, after an exhaustive examination by both sides. He said he had resided in the Ninth Ward for thirty years, knew ex-Judge Voorhis and State Senator Buchanan, and was a member of the Abingdon Club, a Tammany organization. He gazed intently at the defendant while he was being sworn. He is in business at No. 134 Jane street, and lives at No. 80 Perry street.

The only way the defence could get rid of George B. Douglas, a clerk in an upholstery firm, residing at No. 143 West Ninety-sixth street, was by the exercise of the peremptory challenge. George H. Burt, connected with Rogers & Co. at Seventeenth street and Sixth avenue, and living at No. 265 West One Hundred and Thirty-eighth street, was particularly questioned about the sale of goods by his firm to the police and fire departments. The idea was that he might have assisted in furnishing the Thirtieth Precinct Station House, in One Hundred and Twenty-sixth street, and therefore knew Inspector McCullagh. After a colloquy between counsel over an impression Mr. Burt had formed from reading newspapers, which it would require evidence to remove, he was excused.

DID NOT WANT THE QUAKER. The prosecution challenged J. E. Kalisky, of No. 107 Second avenue, peremptorily after he had promptly answered the questions from both sides. In like manner Assistant District Attorney McIntyre got rid of William T. Colverson, of No. 222 West Fifty-ninth street, a stock broker. This was the fifth time the people had used this privilege out of the thirty challenges permitted by law. The defence up to this point had peremptorily challenged ten times.

Benjamin T. Rose, Sr., of No. 53 West One Hundred and Thirtieth street, said he was on the jury in the Marie Barber case. He was excused. William A. Lounsbury, who is an employee of the American News Company, was disposed of by a peremptory challenge from the defence. He had read that Mrs. Fleming was likely to receive her \$85,000, and he was glad of it. Yet Mr. Brooke did not want him.

Mr. McIntyre discovered, after he had been examining Robert W. Lawrence, of No. 42 East Sixty-seventh street, for several minutes, that the witness was a member of the Society of Friends, one of whose tenets is positively against capital punishment.

Charles W. W. Ball, of No. 78 West One Hundred and Thirty-first street, declared he would not agree to a verdict of murder in the first degree against a woman under any circumstances.

The task of completing the jury will be resumed this morning. Charles C. Haight, Juror No. 6, made two ineffective attempts to be excused during the day.

ROCKEFELLERS AND POTTER.

Magnate Is Trying to Foreclose a Mortgage on the Pastor's Church.

Justice Smyth, in the Supreme Court, is trying the suit of the New York Central Baptist Mission Society to foreclose a mortgage of \$88,000 on the Tabernacle Baptist Church.

John D. and William Rockefeller, who are among the members of the society who are bitterly opposed to Rev. Daniel C. Potter, the pastor, declare that even the nominal interest of \$1 yearly on the loan has not been paid.

Dr. Potter contends that the mortgage is never to be foreclosed so long as the building is used as a Baptist Church.

A FEW REMARKS BY WOMEN AS MRS. FLEMING WAS LED BACK TO THE TOMBS.



"Well connected? H'm!"

"I would dress better if I had \$85,000."

"Certainly a head worth studying."

"Those horrid lawyers might have waited until she was out of mourning."

"I dare say she neglected Sunday."

"Poor dear, just think of her sweet little baby."

GREAT MOTT IN PARK ROW.

Braves Newspaper Artists and Is Caught in the Act of Buying Suspender Bargains.

Magistrate Mott walked along Park Row yesterday afternoon. It was thought that his antipathy to all things in newspaperdom would cause him to remain away from the Row, where an artist with a pencil and pad is to be found on every corner, but he was not to be so easily deterred, and he was looking for bargains. When opposite the postoffice a young man with a clothes basket caught his eye.

"Suspenders?" said the vender, seeing the wrinkles in the Magistrate's trousers.

"How much?" asked Mr. Mott, picking up a pair.

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TOSSED ON THE HORNS OF A MAD BULL.

Swedish Farm Hand Has a Terrific Encounter with a Frenzied Beast.

Enters the Stall Alone to Secure the Animal, When He Is Attacked.

IMPALED AND DYING WHEN FOUND.

Plucky Rescue by a Young Italian and the Farmer's Son—Injured Man Taken to a Hospital in Orange.

Newark, N. J., May 18.—A Swedish farmhand, who is known only as Hermann, is lying in a critical condition at Memorial Hospital, Orange, suffering from frightful wounds in his breast and abdomen, inflicted to-day by a bull owned by his employer, Thomas Flood, who lives on the old Redmond farm on the Valley road, near South Orange.

The bull is a valuable Alderney, four years old, and was raised on the place. It was never considered vicious or dangerous, but nobody was allowed to go into its stall in the stable with the exception of Mr. Flood's son or a young Italian who worked on the farm.

This morning it was found that the bull had broken the rope which secured it and was roaming about the box stall. Hermann went to the barn to get the horses to begin his day's work at the plough. He was warned by the young Italian that the bull was loose and not to go near it. He shouted back that the bull would not harm anybody and that he would secure it.

The young Italian claims that he warned him to not attempt it, but that Hermann refused to heed his warning. A few moments later the Italian heard the bull bellowing and Hermann screaming. He ran to the barn and saw the bull walking around with Hermann impaled on its horns.

Climbing to the top of the partition surrounding the stall, the Italian awaited a chance to seize the unfortunate Swede. He had only to wait a moment, for as soon as the bull caught sight of him it made a dash for the partition, planning the Swede against it. This gave the Italian the chance he was waiting for, and, seizing the Swede, he dragged him from the horns of the bull and with his burden half jumped and half fell to the floor, out of harm's way. He then ran to the door and by his shouts for help attracted the attention of Farmer Flood's son and another Italian farm hand. The man rushed into the barn, where a ghastly spectacle was presented. Lying on a pile of straw was the injured Swede, more dead than alive. He was rapidly lapsing into unconsciousness.

Hermann was lifted tenderly and carried to the Flood residence, and everything possible was done for him by the family and a neighboring physician until the ambulance arrived, when he was removed to Memorial Hospital. There it was said that his injuries would likely prove fatal.

From the nature of Hermann's wounds it is believed that the bull attacked him as soon as he entered the stall, struck him in the breast with its horns and then knocked him down. Rushing at him while he lay prostrate, it then drove its horns into his abdomen and butted him against the side of the stall.

He would probably have been killed before he got out of the stall but for the young Italian's plucky rescue. The bull became calm after he had done the damage, and was easily secured. It is believed the bull attacked Hermann because he was a stranger.

EXCITING MIDNIGHT CHASE.

Mrs. Murnane Catches Up with a Man Who Had Grabbed Her Purse.

Mrs. Alice Murnane, the wife of a telephone operator, living at No. 208 East Twenty-fifth street, pursued a highwayman a block and a half yesterday morning along Third avenue, in the vicinity of her home, until Policeman Hawley, of the East Twenty-second Street Station, attracted by her cries, appeared and captured him.

Mrs. Murnane is twenty-two years old and good-looking. Shortly after midnight she suffered toothache and went to the drug store on the corner of Lexington avenue and Twenty-third street for a remedy. On her way back a strange-looking man followed her. When she turned on Twenty-fourth street he approached her close enough to grab her pocketbook, which she carried in her hand, and run swiftly toward Third avenue. Mrs. Murnane followed, crying, "Stop, thief!" at the top of her voice.

When searched at the Twenty-second Street Police Station, a \$2 bill, which Mrs. Murnane said the man had taken from her pocketbook, and five pawn tickets were found in his pockets.

At the station house the man gave his name as Charles Smith and his residence as No. 22 East Twelfth street. He is twenty-five years old. When brought before Magistrate Cornell, in the Yorkville Police Court, yesterday morning, he denied Mrs. Murnane's story. He said she had asked him to take her home and had sought to get her into trouble when he refused. The Magistrate held him for trial this morning in \$1,000 bail.

SAYS APPLETON IS ALIVE.

Policeman Egan Declares the Body Found at College Point Is Not That of the Missing Man.

College Point, L. I., May 18.—It is now said that the body of the man which was washed ashore off this place on Friday evening was not that of William R. Appleton, of No. 810 Bedford avenue, Brooklyn. It was partly identified as his body by a woman on Sunday, and she promised to have the remains removed for burial to-day, but did not put in an appearance. Appleton escaped from the Coptic Street Police Court in New York a short time ago, where he was waiting an examination on the charge of larceny. Policeman Egan, of the Church Street Station, in New York, who knew Appleton, viewed the body of the man here, and says it is not that of Appleton. Appleton, he believes, is alive and in Jersey City.

An autopsy was performed on the body by Drs. McPherson and Reimer, and it showed that the man had softening of the brain. This gave the impression that he committed suicide by jumping overboard while temporarily insane. If the body is not claimed by to-morrow it will be buried in Potter's field.

SUES FOR FUTURE PROFITS.

Titles Brings a Queer Action Against the Mutual Life.

For the first time in its history the Mutual Life Insurance Company has been made the defendant in a suit brought by a former agent of the company to recover upward of a quarter of a million of dollars for "probable commissions and commissions on renewal." George Titles is the plaintiff, and he has retained Lawyer Newman Erb, of No. 60 Broadway.

Titles was the general agent of the Mutual Life Insurance Company for the State of Arkansas. On January 1, 1894, he entered into a six years' contract with the company, and on January 1 last Titles claims the contract was broken and he was summarily discharged. He sues to recover \$350,000.

Several hearings have already been held, and one of them the auditor of the company admitted on cross-examination that in the new business of the Mutual Life Company for the past year there was a deficit of about a million dollars.

Further testimony was taken in the case yesterday afternoon in the office of Colonel Short, the head of the law department of the Mutual Life Insurance Company. No definite time was set for the next hearing. Colonel Short says the suit is an absurd one, and is brought by Titles for the purpose of annoying the company.

BELMONT FORGER MAY ESCAPE.

State Department Advised That Spain Objects to His Extradition.

It is expected that the Spanish Government will refuse to extradite Muriel Martin, alias Manuel Gonzales Mendoza, who passed a forged draft for \$24,000 at the banking house of August Belmont & Co. The information came from Washington yesterday in a telegram from the State Department to District Attorney Fellows from Assistant Secretary of State Rockhill, at Washington.

The dispatch stated that Consul General Williams cabled to the department that he noticed a disposition on the part of the authorities to evade Mendoza's extradition, based on certain articles of the treaty with Spain. Mr. Williams added that he doubted if the request for the provisional detention of the prisoner would be granted.

Superintendent Bangs, of Pinkerton's Detective Agency, said yesterday that the refusal of Spain to permit the extradition of Mendoza had nothing to do with the strained relations between the two countries.

Mendoza forged in Cuba the sight draft that he uttered in the United States. He had confederates in Cuba, who were arrested there. These confederates confessed, giving the Spanish Government the information that resulted in Mendoza's arrest.

WOLF SILVERMAN ON TRIAL.

He Is Charged With Trying to Beat an Insurance Company.

The trial of Wolf Silverman, charged with attempting to defraud the Metropolitan Life Insurance Company of \$2,000 insurance on his wife, was taken up in Part I. of General Sessions, yesterday. Silverman is said to have substituted a healthy woman in place of his wife in the medical examination.

Dr. William G. Pennington testified that in January, 1895, Silverman and two women visited his office. The woman introduced as Mrs. Silverman was examined for a \$2,000 policy. She weighed more than one hundred and fifty pounds. The body of the dead woman, upon whom the insurance was claimed, was different in many respects from the woman who took the examination. The body weighed about one hundred pounds and had hair of entirely different color. The case will go on to-day.

Queer Accident Results in Death.

Joseph Farrell, the two-year-old son of John Farrell, of No. 330 West Thirty-eighth street, died at his home yesterday as the result of a queer accident. Last Friday the child was playing with a sharp stick in his mouth when he ran against a door with such force that the stick was driven into the tonsils. Blood poisoning set in, causing death.

ATTEMPT TO WRECK A PASSENGER TRAIN.

Miscellaneous Piles Ties on Lackawanna Tracks Near Boonton, N. J.

Express Train Runs into the Obstruction, but Is Not Derailed.

LOCOMOTIVE IS BADLY DAMAGED.

There's a Mysterious Patient in the Paterson Hospital Who Is Believed to Have Been Implicated in the Crime.

Paterson, N. J., May 18.—An attempt was made last night to wreck an express train on the Delaware, Lackawanna & Western Railroad at Montville, two miles east of Boonton and thirteen miles west of this place.

Express No. 9 passed through Paterson at 10:15 o'clock, on schedule time. Montville is a small place, and the attempt to wreck No. 9 was made within a short distance of the railway station.

As the train approached Montville, Conductor Frank Garland happened to notice an obstruction on the tracks ahead and tried to stop the train. It was too late, however, and the locomotive collided with the obstruction, which proved to be a pile of railroad ties. These were fortunately scattered without causing derailment. The pilot of the locomotive was badly damaged.

Railroad men wonder how a disastrous wreck was avoided. It is supposed that the motive was robbery. A thorough search of the vicinity was made, but no one was found.

An hour after the train had sped on its way a stranger, presumed to be a Hungarian, limped painfully into the Boonton railway station. He was suffering from a bad gash on the left leg, which was bleeding profusely. The knee joint was also apparently injured. He was sent to St. Joseph's Hospital, in this city, where his injuries were attended to.

Since his arrival there he has preserved silence, not even divulging his name. It is thought that he is in some way connected with the attempt to wreck the train and that he could tell all if he chose to do so. He has pretended not to understand when spoken to, no matter in what language.

At Boonton the railroad detectives were hard at work on the case and made four arrests. All were Hungarians. Roadmaster James Neale arrested John Marons, a Track Walker John Leonard arrested three others. They were arraigned in the afternoon before Justice Anthony, in Boonton. The men arrested by Leonard were permitted to depart, they proving they had nothing to do with the attempts to derail the trains. Marons was held for the Grand Jury and sent to the county jail at Morris-town.

The point where the attempts were made is a lonely one on the main line of the road, and fast time is always made. The affair created considerable excitement in the town, a few miles from Boonton. The town is largely made up of employees of the road.

L. T. KERR'S WILL PROTESTED.

He Used to Keep the Putnam House and Gloried in a Neck Yoke.

The will of the late Lawrence T. Kerr, former proprietor of the Putnam House, who died about two years ago, is being contested. He left more than half a million dollars to his widow and only son.

Mrs. Kerr, who has since died, had by a former husband three children, who were engaged Samuel Adams, of No. 60 Broadway, to look out for their interests, claiming that they are entitled to their share of what Mr. Kerr left their mother in her own right.

Upon Mrs. Kerr's death the entire property passed to young Kerr, who now has possession, and who is being sued.

Old Mr. Kerr began life by selling milk, which he carried in two big cans suspended from a yoke that rested on his neck and shoulders. After he started the Putnam House he had the old yoke gilded and placed over the clock in the hotel office.

DIFFERENT PUNCH WAS USED.

Forgers Did Not Employ Machine of the Chicago Check Perforator Company.

In the account of the arrest in Newark of the celebrated forgers, Becker and Cregan, printed in the Journal of May 15, facsimiles of the punched and rolled figures in a check used to swindle the Nevada Bank of San Francisco, were published. These figures resemble those punched by the machines of the Chicago Check Perforator Company.

A. L. Day, New York manager of the Chicago Check Perforator Company, explained yesterday that in the figures punched in the Woodland Bank draft, which the Nevada Bank cashed for A. H. Dean, one of the forgers, the machine of this company was not used. Had it been, the marks could not have been obliterated or rolled.

FOR THE LAW IS "WID EM."

Newsboys in Conclave Learn That They Can Fall Off Cars and Break Limbs at a Profit.

There was a convocation of newsboys on the steps of the City Hall yesterday to discuss informally a Court of Appeals decision. Shorty Lymes, the "Poh-Bah" of the profession, addressed the convocation.

"An' dey give Baber fifteen hundred for his busted arm," he exclaimed.

"Gee, give him fifteen hundred?" queried a wall-eyed youth on the edge of the crowd.

"De Court of Peals, ye slob," was the answer.

There was a pause, while all reflected on the possibilities of enjoyment that lie in the possibility of being injured.

"I'd give me two legs for a hundred," was the generally expressed sentiment.

"Vots de Court-de Court of Peals?" asked McCan, a banjo-eyed kid. "It is where Duffy used ter be, down in Essex Market."

"Naw, ye guy, it s'int," replied Shorty, and to avoid further inquiry he proceeded:

"Youse kids kin all of yes make yer sneak now for a car an' sell yer papers. If de conductor fies yer say dat de law is wid fer."

"An' if he don't shut off de car an' ye gets damages, see?"

With which luminous advice Pooh-Bah gazed defiantly and, stowing his papers under his arm, led the procession in the direction of Broadway.

KNOCKED DOWN IN THE STREET.

Serious Result of an Italian's Attack on a Poor Immigrant Girl.

Mary Murphy, an immigrant, thirty years old, who has lately arrived in this country and is living at No. 7 State street, was knocked down in front of No. 507 Pearl street at noon yesterday by an Italian, who escaped in the crowd before the serious result of his assault was known.

When the woman was picked up it was found that she had sustained a fracture of the knee in falling on the stone curb.

John Canaro, who is well known to the police of the Sixth Precinct Station, was arrested on suspicion at his home, No. 39 Park street, but the woman failed to identify him and he was discharged. At the Hudson Street Hospital the woman was unable to give any reason for her treatment at the hands of her unknown assailant. The police think the motive was robbery.

WATCHES SEWED IN HIS VEST.

Customs Inspectors Make a Seizure on the Augusta Victoria.

The seizure of valuable watches and chains found on the person of T. Brill, of No. 511 East Eighty-sixth street, a passenger on the steamship Augusta Victoria, which arrived from Hamburg Saturday, was yesterday reported to Colonel Phelps, of the law department of the Customs House. Inspectors Brown and Murray had inspected all of Brill's luggage and he was about to leave the ship when they discovered the watches in a pocket sewed on the inside of his vest.

There was one gentleman's gold watch and gold chain, a lady's gold watch and gold chain and a number of watch repairing tools.

Mr. Brill claims the watches were intended for presents to his son and his sister-in-law. He had not declared them.

DOG-BITE ANTIDOTE WORKING.

Recently Bitten Children at Pasteur Institute Are Getting on Well.

The thirteen children of West Hoboken and Union Hill, N. J., who were bitten by a mad dog last week received their third day's treatment at the Pasteur Institute yesterday. After to-day they will have but one inoculation a day, unless symptoms develop which may call for more stringent measures.

Some of the children already show the effects of the virus in their system, and have become extremely irritable and peevish. The physicians of the institute say they have every reason to believe the treatment the children have been subjected to will be the means of preventing any ill effects from the mad dog's bites.

LET THERE BE LIGHT ON THE BOULEVARD.

Mayor Strong Pledges Aid to Wheelmen in Banishing Darkness.

Comptroller Fitch and Commissioner Collis Would Have the Western Highway Made Safe.

DANGERS THE WHEELMEN HAVE SEEN.

Thick Foliage Hides Glimmering, Yellow Gaslights, and Collisions Can Scarcely Be Avoided.

The Western Boulevard should be better lighted. More than 250,000 wheelmen in the metropolitan district have so declared for some time, and yesterday Mayor Strong said so. He knows well how great a proportion of the public goes wheeling, and realizes that this number is rapidly being increased. The safety of these persons must be considered, he says, and he pledged himself to do all he can to consistently bring about the improvement desired.

Commissioner of Public Works Collis seems to think that better lighting on the Boulevard would be a luxury to wheelmen, while it is an absolute necessity to other parts of the city. Better lighting is a necessity everywhere. Other streets are lighted by electricity, and if any conviction goes with facts, the Boulevard should be well lighted, at least from the Park Circle to One Hundred and Eighth street.

Comptroller Fitch says so, too, but his office does not permit him to make the recommendation.

Bicyclists and persons who are not bicyclists favor the improvement. Feeling it is something that should have been done long ago. As the summer grows on and the increasing number of wheelmen makes greater the ratio of accidents, the necessity of it will become more pressing and the wisdom of Mayor Strong clearly shown.

Mayor Strong is an hearty fan of better lighting of the Boulevard, and will do all in his power to see that it is done. The wheelmen need it, and there are so many bicyclists now that their comfort and safety must be considered. If electric lights could be used it would be in favor of providing them, but it should be remembered that there is no electricity on the Boulevard for the wires, and neither the city government nor the public is willing that the wires should be placed overhead. To build a conduit is expensive and should not be undertaken until it is found necessary. I think that possibly the light needed could be provided with naphtha lamps, similar to those on Riverside Drive. If these would do I think arrangements could be made for placing them in the Boulevard.

General Collis, Commissioner of Public Works—I would be glad to do anything possible for the wheelmen, but I think there are other parts of the city, such as the tenement districts, that are more in need of better light than the Boulevard.

Comptroller Fitch seems to me that the Boulevard should be better lighted, but any recommendation for doing so must come from the Commissioner of Public Works.

Dixie Hines, editor of the American Wheelman—The Journal has certainly made a most commendable step in advocating better lighting of the Boulevard. With all the good talk of a Greater New York, and with this city's claim to pre-eminence, it is astonishing that Manhattan Island is so badly lighted. Central Park perhaps is the most lamentable example, and in this respect is away behind the parks of many smaller cities. In Savannah the Boulevard is brilliantly lighted with electricity. Syracuse, in this matter, was ahead of New York, while Cleveland, with its streets and parks, is the best-lighted place in the country. Wheelmen are not unreasonable in their demands. They make up a great proportion of the public, and as that proportion, their wishes should receive some attention. Riders are compelled to carry lights, and these tiny points of radiance are not enough to make safe a place so crowded as the Boulevard at night. There is no apparent reason why the streets should not be thoroughly lighted. It is said that electric illumination in the slums makes those quarters safer to citizens. And it takes very little logic to conclude that a citizen should be guaranteed the same degree of safety on the Boulevard as he is in the slums. The further the summer progresses, the more wheelmen there will be. The increase is amazing, and these riders probably be twenty per cent more than last year. Now, that the trees have leaved, the lights shed by the sixty gas jets is greatly obscured, and some places along the way in its dense, deep shadow,